

SECOND REGULAR SESSION

SENATE BILL NO. 951

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CAUTHORN.

Read 1st time January 25, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

4670S.011

AN ACT

To repeal section 302.341, RSMo, and to enact in lieu thereof one new section relating to revenues generated by moving traffic violations.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 302.341, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 302.341, to read as follows:

302.341. 1. If a Missouri resident charged with a moving traffic violation
2 of this state or any county or municipality of this state fails to dispose of the
3 charges of which he **or she** is accused through authorized prepayment of fine and
4 court costs and fails to appear on the return date or at any subsequent date to
5 which the case has been continued, or without good cause fails to pay any fine or
6 court costs assessed against him **or her** for any such violation within the period
7 of time specified or in such installments as approved by the court or as otherwise
8 provided by law, any court having jurisdiction over the charges shall within ten
9 days of the failure to comply inform the defendant by ordinary mail at the last
10 address shown on the court records that the court will order the director of
11 revenue to suspend the defendant's driving privileges if the charges are not
12 disposed of and fully paid within thirty days from the date of mailing. Thereafter,
13 if the defendant fails to timely act to dispose of the charges and fully pay any
14 applicable fines and court costs, the court shall notify the director of revenue of
15 such failure and of the pending charges against the defendant. Upon receipt of
16 this notification, the director shall suspend the license of the driver, effective
17 immediately, and provide notice of the suspension to the driver at the last
18 address for the driver shown on the records of the department of revenue. Such
19 suspension shall remain in effect until the court with the subject pending charge

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 requests setting aside the noncompliance suspension pending final disposition, or
21 satisfactory evidence of disposition of pending charges and payment of fine and
22 court costs, if applicable, is furnished to the director by the individual. Upon
23 proof of disposition of charges and payment of fine and court costs, if applicable,
24 and payment of the reinstatement fee as set forth in section 302.304, the director
25 shall reinstate the license. The filing of financial responsibility with the bureau
26 of safety responsibility, department of revenue, shall not be required as a
27 condition of reinstatement of a driver's license suspended solely under the
28 provisions of this section. If any city, town, or village receives more than
29 ~~[forty-five]~~ **thirty-five** percent of its ~~[total]~~ annual **general operating** revenue
30 from fines **and court costs** for traffic violations occurring on state highways, all
31 revenues from such violations in excess of ~~[forty-five]~~ **thirty-five** percent of the
32 ~~[total]~~ annual **general operating** revenue of the city, town, or village shall be
33 sent to the director of the department of revenue and shall be distributed
34 annually to the schools of the county in the same manner that proceeds of all
35 penalties, forfeitures and fines collected for any breach of the penal laws of the
36 state are distributed. For the purpose of this section the words "state highways"
37 shall mean any state or federal highway, including any such highway continuing
38 through the boundaries of a city, town or village with a designated street name
39 other than the state highway number.

40 **2. If any city, town, or village fails to send such excess revenues**
41 **to the director of the department of revenue in a timely fashion which**
42 **shall be set forth by the director by rule, such city, town, or village shall**
43 **submit to an annual audit by the state auditor pursuant to the authority**
44 **of Article IV, Section 13 of the Missouri Constitution. No rule or portion**
45 **of a rule promulgated pursuant to the authority of this section shall**
46 **become effective unless it has been promulgated pursuant to chapter**
47 **536, RSMo.**

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